The Trademark Reporter®

ANNUAL INDEX

1992

PART I

AUTHORS

Page

Acton, Patricia Nassif, Thomas D. Selz and Melvin Simensky—Entertainment Law (Book Review) 661
Andersson, Eric M. and Gunnar W.G. Karnell—Introduction to International Licensing (Book Review) 132
Aronson, Howard N. and Steven M. Getzoff—Trademark Management (Book Review) 664
Bainton, J. Joseph—Reflections on The Trademark Counterfeiting Act of 1984: Score a Few for the Good Guys 1
Bannon, Elizabeth C.—The Growing Risk of Self-Dilution 570
Barber, William G.—Recovery of Profits Under the Lanham Act: Are the District Courts Doing Their Job? 141
Bendekgey, Lee and Caroline H. Mead—International Protection of Appellations of Origin and Other Geographic Indications 765
Bereskin, Daniel R.—Notes From Canada 270
Bigger, Stephen—International Notes 802
Birenbaum, David E. and Dimitri P. Racklin—Business Ventures In Eastern Europe And The Soviet Union: The Emerging Legal Framework for Foreign Investment (Book Review) 290
Brantley, Patricia N.—1991-92 Patent Law Handbook (Books) 297
Bussert, Christopher P. and Theodore H. Davis, Jr.—Calculating Profits Under Section 35 of the Lanham Act: A Practitioner's Guide 182
Chartered Institute of Patent Agents and Institute of Trademark Agents—United Kingdom Trade Mark Handbook (Book Review) 822
Clubb, Bruce E.—United States Foreign Trade Law (Book Review) 295
Collin, Hans—International Patent Systems and Practice (Books) 826
Covell, Wayne—Moove: The "Experiment" That Went Wrong 341

Page

Davis, Theodore H., Jr. and Christopher P. Bussert—Calculating Profits Under Section 35 of the Lanham Act: A Practitioner's Guide 182
Dratler, Jay, Jr.—Intellectual Property Law: Commercial, Creative, and Industrial Property (Book Review) 294
Drescher, Thomas D.—The Transformation and Evolution of Trademarks—From Signals to Symbols to Myth 301
Elias, Bettina—Do Scents Signify Source?—An Argument Against Trademark Protection for Fragrances 475
Epstein, Michael A. and Frank L. Politano—Drafting License Agreements (Book Review) 293
Evarts, W. Richard, James L. Greenstone, Gary J. Kirkpatrick and Sharon C. Leviton—Winning through Accommodation—The Mediator's Handbook (Books) 827
Fawlk, Michael—Trademark Delimitation Agreements Under Article 85 of the Treaty of Rome 223
Fletcher, Anthony L. and David J. Kera—The Forty-Fifth Year of Administration of the Lanham Trademark Act of 1946 1041
Fogo, James G.—Notes From Canada 112
Foster, Frank H. and Robert L. Shook—Patents, Copyrights & Trademarks (Book Review) 133
Garner, W. Michael—Franchise and Distribution Law and Practice (Book Review) 131
Getzoff, Steven M. and Howard N. Aronson—Trademark Management (Book Review) 664
Ginsburg, Jane C., David Goldberg and Arthur J. Greenbaum—Trademark and Unfair Competition Law—Cases and Materials (Book Review) 133
Goldberg, David, Arthur J. Greenbaum and Jane C. Ginsburg—Trademark and Unfair Competition Law—Cases and Materials (Book Review) 133
Goodsaid, Ira J.—At Your Service: Hints on What Constitutes a Service and What Is Acceptable Use as a Service Mark (Tip) . . . 261
Greenbaum, Arthur J., Jane C. Ginsburg and David Goldberg—Trademark and Unfair Competition Law—Cases and Materials (Book Review) 133
Greenstone, James L., Gary J. Kirkpatrick, Sharon C. Leviton and W. Richard Evarts—Winning through Accommodation—The Mediator's Handbook (Books) 827
Hairston, Paula T.—Pleading and Proving a Claim of False Suggestion of a Connection With Persons and Institutions (Tip) 253
Hansen, Hugh C.—New York Intellectual Property Handbook (with Federal Statutory Appendix and Forms) (Book Review) . . . 663
Holmes, William C.—1992 Antitrust Law Handbook (Books) 473
Howell, Dorothy J.—Intellectual Properties and the Protection of Fictional Characters (Book Review) 662
Jonas, Kay-Uwe—Aspects of German Trademark Law After Reunification 242

Page

Kane, Siegrun D.—Trademark Law—A Practitioner's Guide (Book Review) 294
Karnell, Gunnar W.G. and Eric M. Andersson—Introduction to International Licensing (Book Review) 132
Kera, David J. and Anthony L. Fletcher—The Forty-Fifth Year of Administration of the Lanham Trademark Act of 1946 1041
Kirkpatrick, Gary J., Sharon C. Leviton, W. Richard Evarts and James L. Greenstone—Winning through Accommodation—The Mediator's Handbook (Books) 827
Kirkpatrick, Richard L.—Learned Hand's Trademark Cases: An Appreciation 426
Kunze, Gerd F.—The Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks of June 27, 1989 58
Lane, Shelley—The Status of Licensing Common Law Marks (Book Review) 470
Langvardt, Arlen W.—Protected Marks and Protected Speech: Establishing the First Amendment Boundaries in Trademark Parody Cases 671
Larkin, Thomas Ardell—Harmony in Disarray: The European Community Trademark System 634
Lever, Jack Q.—U.S. Intellectual Property Legislative Review: An Annual Survey (Book Review) 135
Leviton, Sharon C., W. Richard Evarts, James L. Greenstone and Gary J. Kirkpatrick—Winning through Accommodation—The Mediator's Handbook (Books) 827
Liberman, Adam—Australian Industrial & Intellectual Property (Book Review) 661
Lupo, Raphael V. and Donna M. Tanguay—What Corporate and General Practitioners Should Know About Intellectual Property Litigation (Book Review) 470
MacLaren, Terrence F.—1992 Licensing Law Handbook—Licensing in Europe (Book Review) 822
Marshall, Jessie N.—Classification of Services Under the International (Nice) Agreement (Tip) 94
McLeod, Linda—The Status of So Highly Descriptive and Acquired Distinctiveness 607
Mead, Caroline H. and Lee Bendekgey—International Protection of Appellations of Origin and Other Geographic Indications 765
Montgomery, Susan Barbieri and Richard J. Taylor—Worldwide Trademark Transfers—Law and Practice (Book Review) 665
Nelson, Lestor—Digest of Intellectual Property Laws of the World (Book Review) 821
Nies, Helen Wilson—The Lanham Act—Looking at an Old Friend From a New Perspective 793
Palladino, Vincent N.—Disclaimers Before and After HBO v. Showtime 203

Page

Parks, Kevin—"Naked" Is Not a Four-Letter Word: Debunking the Myth of the "Quality Control Requirement" in Trademark Licensing 531
Paterson, Gerald—The European Patent System—The Law and Practice of the European Patent Convention (Books) 826
Pinckney, Francis M.—Product Comparison Manual for Trademark Users—1987-90 Supplement (Books) 297
Plevan, Kenneth A. and Miriam L. Siroky—Advertising Compliance Handbook (Book Review) 290
Politano, Frank L. and Michael A. Epstein—Drafting License Agreements (Book Review) 293
Porteous, Alan and Peter Rouse—The Trademark World Guide to Trademarks in Hungary, Poland and Czechoslovakia (Books) 826
Racklin, Dimitri P. and David E. Birenbaum—Business Ventures In Eastern Europe And The Soviet Union: The Emerging Legal Framework for Foreign Investment (Book Review) 290
Razzano, Pasquale A.—Incontestability: Should It Be Given Any Effect in a Likelihood of Confusion Determination 409
Roberts, R.J.—Roberts on Competition/Antitrust: Canada and the United States (Book Note) 824
Rossiter, Derek—Trade Marks in Business (Books) 827
Rouse, Peter and Alan Porteous—The Trademark World Guide to Trademarks in Hungary, Poland and Czechoslovakia (Books) 826
Selz, Thomas D., Melvin Simensky and Patricia Nassif Acton—Entertainment Law (Book Review) 661
Shanahan, D.R.—Australian Law of Trade Marks and Passing Off (Book Review) 131
Sheldon & Mak—California Intellectual Property Handbook (Book Review) 291
Shook, Robert L. and Frank H. Foster—Patents, Copyrights & Trademarks (Book Review) 133
Simensky, Melvin, Patricia Nassif Acton and Thomas D. Selz—Entertainment Law (Book Review) 661
Siroky, Miriam L. and Kenneth A. Plevan—Advertising Compliance Handbook (Book Review) 290
Tanguay, Donna M. and Raphael V. Lupo—What Corporate and General Practitioners Should Know About Intellectual Property Litigation (Book Review) 470
Taylor, Richard J. and Susan Barbieri Montgomery—Worldwide Trademark Transfers—Law and Practice (Book Review) 665
Velasco, Rodrigo—Piracy and Protection: International Trademarks Under the New Chilean Industrial Property Law 593
Walsh, James T.—The PTO's Experience Thus Far in Examining Intent-to-Use Applications (Tip) 452

Page

Wendel, Helen R.—The Burden Shifts: Revised Discovery Practice Under Trademark Rule 2.120(d)(1) (Tip) 89
Wolf, David B.—"Effective Protection Against Unfair Competition" Under Section 44 of the Lanham Act 33
Wolfel, Helmut—Rechtsfolgen von Markenverletzungen und Massnahmen zur Bekämpfung der Produktpiraterie (Legal Consequences of Trademark Infringements and Measures to Combat Trademark Counterfeiting) (Books) 826
Zelnick, Allan—The Madrid Protocol—Some Reflections (Forum) 651

TITLES

Action for Passing Off, Copyright Infringement and Violation of Federal Trade Practices Act—Character Merchandising—Reputation Without Use (Note) 802
Advertising Compliance Handbook (Book Review)—Kenneth A. Plevan and Miriam L. Siroky 290
Aspects of German Trademark Law After Reunification—Kay-Uwe Jonas 242
At Your Service: Hints on What Constitutes a Service and What Is Acceptable Use as a Service Mark (Tip)—Ira J. Goodsaid 261
Australian Industrial & Intellectual Property (Book Review)—Adam Liberman 661
Australian Law of Trade Marks and Passing Off (Book Review)—D.R. Shanahan 131
The Burden Shifts: Revised Discovery Practice Under Trademark Rule 2.120(d)(1) (Tip)—Helen R. Wendel 89
Business Ventures In Eastern Europe And The Soviet Union: The Emerging Legal Framework for Foreign Investment (Book Review)—David E. Birenbaum and Dimitri P. Racklin ... 290
Calculating Profits Under Section 35 of the Lanham Act: A Practitioner's Guide—Christopher P. Bussert and Theodore H. Davis, Jr. 182
California Intellectual Property Handbook (Book Review)—Sheldon & Mak 291
Cancellation Proceeding Involving Well-Known Foreign Trademark—Reputation Without Use (Note) 806
Classification of Services Under the International (Nice) Agreement (Tip)—Jessie N. Marshall 94
Critical Issues: Trademarks—Annotations From the ALR System (Book Review) 292
Digest of Intellectual Property Laws of the World (Book Review)—Lestor Nelson 821
Disclaimers Before and After HBO v. Showtime—Vincent N. Palladino 203
Do Scents Signify Source?—An Argument Against Trademark Protection for Fragrances—Bettina Elias 475

Page

Drafting License Agreements (Book Review)—Michael A. Epstein and Frank L. Politano 293
"Effective Protection Against Unfair Competition" Under Section 44 of the Lanham Act—David B. Wolf 33
Entertainment Law (Book Review)—Thomas D. Selz, Melvin Simensky and Patricia Nassif Acton 661
The European Patent System—The Law and Practice of the European Patent Convention (Books)—Gerald Paterson 826
Excerpts From The United States Trademark Association's Amicus Brief in Two Pesos, Inc. v. Taco Cabana International, Inc., and Taco Cabana, Inc. 440
The Forty-Fifth Year of Administration of the Lanham Trademark Act of 1946—Anthony L. Fletcher and David J. Kera 1041
Franchise and Distribution Law and Practice (Book Review)—W. Michael Garner 131
The Growing Risk of Self-Dilution—Elizabeth C. Bannon 570
Harmonisation of Trade Mark Laws in the European Communities (Books) 825
Harmony in Disarray: The European Community Trademark System—Thomas Ardell Larkin 634
Incontestability: Should It Be Given Any Effect in a Likelihood of Confusion Determination—Pasquale A. Razzano 409
Intellectual Properties and the Protection of Fictional Characters (Book Review)—Dorothy J. Howell 662
Intellectual Property Law: Commercial, Creative, and Industrial Property (Book Review)—Jay Dratler, Jr. 294
International Notes—Stephen Bigger 802
International Patent Systems and Practice (Books)—Hans Collin 826
International Protection of Appellations of Origin and Other Geographic Indications—Lee Bendekgey and Caroline H. Mead 765
Introduction to International Licensing (Book Review)—Gunnar W.G. Karnell and Eric M. Andersson 132
The Lanham Act—Looking at an Old Friend From a New Perspective—Helen Wilson Nies 793
Learned Hand's Trademark Cases: An Appreciation—Richard L. Kirkpatrick 426
Letter to the Editor 810
List of Other Articles, Legal Notes and Books 136, 296, 472, 668, 825
The Madrid Protocol—Some Reflections—Allan Zelnick 651
Moove: The "Experiment" That Went Wrong—Wayne Covell 341
1991-92 Patent Law Handbook (Books)—Patricia N. Brantley 297
1992 Antitrust Law Handbook (Books)—William C. Holmes 473
1992 Licensing Law Handbook—Licensing in Europe (Book Review)—Terrence F. MacLaren 822

Page

"Naked" Is Not a Four-Letter Word: Debunking the Myth of the "Quality Control Requirement" in Trademark Licensing—Kevin Parks 531
New York Intellectual Property Handbook (with Federal Statutory Appendix and Forms) (Book Review)—Hugh C. Hansen 663
Notes From Canada
—Daniel R. Bereskin 270
—James G. Fogo 112
Patents, Copyrights & Trademarks (Book Review)—Frank H. Foster and Robert L. Shook 133
Piracy and Protection: International Trademarks Under the New Chilean Industrial Property Law—Rodrigo Velasco 593
Pleading and Proving a Claim of False Suggestion of a Connection With Persons and Institutions (Tip)—Paula T. Hairston 253
Product Comparison Manual for Trademark Users—1987-90 Supplement (Books)—Francis M. Pinckney 297
Protected Marks and Protected Speech: Establishing the First Amendment Boundaries in Trademark Parody Cases—Arlen W. Langvardt 671
The Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks of June 27, 1989—Gerd F. Kunze 58
The PTO's Experience Thus Far in Examining Intent-to-Use Applications (Tip)—James T. Walsh 452
Rechtsfolgen von Markenverletzungen und Massnahmen zur Bekämpfung der Produktpiraterie (Legal Consequences of Trademark Infringements and Measures to Combat Trademark Counterfeiting) (Books)—Helmut Wolfel 826
Recovery of Profits Under the Lanham Act: Are the District Courts Doing Their Job?—William G. Barber 141
Reflections on The Trademark Counterfeiting Act of 1984: Score a Few for the Good Guys—J. Joseph Bainton 1
Reviews of Articles From Other Publications 120, 279, 467 656, 813
Roberts on Competition/Antitrust: Canada and the United States (Book Note)—R.J. Roberts 824
The Status of Licensing Common Law Marks (Book Review)—Shelley Lane 470
The Status of So Highly Descriptive and Acquired Distinctiveness—Linda McLeod 607
Tips From the United States Patent and Trademark Office:
Trademark Examining Operation
—Ira J. Goodsaid 261
—Jessie N. Marshall 94
Trademark Examining Groups
—James T. Walsh 452

Page

TTAB
—Paula T. Hairston 253
—Helen R. Wendel 89
Trademark Delimitation Agreements Under Article 85 of the Treaty of Rome—Michael Fawlk 223
The Trademark Forum 651
Trademark Law—A Practitioner's Guide (Book Review)—Siegrun D. Kane 294
Trademark Management (Book Review)—Howard N. Aronson and Steven M. Getzoff 664
The Trademark Reporter®/USTA Bulletins 140, 299, 474, 669, 828
Trademark and Unfair Competition Law—Cases and Materials (Book Review)—Jane C. Ginsburg, David Goldberg and Arthur J. Greenbaum 133
The Trademark World Guide to Trademarks in Hungary, Poland and Czechoslovakia (Books)—Peter Rouse and Alan Porteous 826
Trade Marks in Business (Books)—Derek Rossiter 827
The Transformation and Evolution of Trademarks—From Signals to Symbols to Myth—Thomas D. Drescher 301
United Kingdom Trade Mark Handbook (Book Review)—Chartered Institute of Patent Agents and Institute of Trade Mark Agents 822
United States Foreign Trade Law (Book Review)—Bruce E. Clubb 295
U.S. Intellectual Property Legislative Review: An Annual Survey (Book Review)—Jack Q. Lever 135
What Corporate and General Practitioners Should Know About Intellectual Property Litigation (Book Review)—Raphael V. Lupo and Donna M. Tanguay 470
Winning through Accommodation—The Mediator's Handbook (Books)—W. Richard Evarts, James L. Greenstone, Gary J. Kirkpatrick and Sharon C. Leviton 827
World Trademark Symposium 829
Worldwide Trademark Transfers—Law and Practice (Book Review)—Susan Barbieri Montgomery and Richard J. Taylor ..665

SUBJECTS

ACCOUNTING
Barber, William G.—Recovery of Profits Under the Lanham Act: Are the District Courts Doing Their Job? 141
Bussert, Christopher P. and Theodore H. Davis, Jr.—Calculating Profits Under Section 35 of the Lanham Act: A Practitioner's Guide 182
Davis, Theodore H., Jr. and Christopher P. Bussert—Calculating Profits Under Section 35 of the Lanham Act: A Practitioner's Guide 182

Page

ATTORNEY FEES
Barber, William G.—Recovery of Profits Under the Lanham Act: Are the District Courts Doing Their Job? 141
Bussert, Christopher P. and Theodore H. Davis, Jr.—Calculating Profits Under Section 35 of the Lanham Act: A Practitioner's Guide 182
Davis, Theodore H., Jr. and Christopher P. Bussert—Calculating Profits Under Section 35 of the Lanham Act: A Practitioner's Guide 182

AUSTRALIA
Action for Passing Off, Copyright Infringement and Violation of Federal Trade Practices Act—Character Merchandising—Reputation Without Use (Note) 802
Covell, Wayne—Moove: The "Experiment" That Went Wrong 341

BOOK NOTE
Roberts, R.J.—Roberts on Competition/Antitrust: Canada and the United States 824

BOOK REVIEWS
Acton, Patricia Nassif, Thomas D. Selz and Melvin Simensky—Entertainment Law 661
Andersson, Eric M. and Gunnar W.G. Karnell—Introduction to International Licensing 132
Aronson, Howard N. and Steven M. Getzoff—Trademark Management 664
Birenbaum, David E. and Dimitri P. Racklin—Business Ventures In Eastern Europe And The Soviet Union: The Emerging Legal Framework for Foreign Investment 290
Chartered Institute of Patent Agents and Institute of Trade Mark Agents—United Kingdom Trade Mark Handbook 822
Clubb, Bruce E.—United States Foreign Trade Law 295
Critical Issues: Trademarks—Annotations From The ALR System 292
Dratler, Jay, Jr.—Intellectual Property Law: Commercial, Creative, and Industrial Property 294
Epstein, Michael A. and Frank L. Politano—Drafting License Agreements 293
Foster, Frank H. and Robert L. Shook—Patents, Copyrights & Trademarks 133
Garner, W. Michael—Franchise and Distribution Law and Practice 131
Getzoff, Steven M. and Howard N. Aronson—Trademark Management 664
Ginsburg, Jane C., David Goldberg and Arthur J. Greenbaum—Trademark and Unfair Competition Law—Cases and Materials 133

Page

BOOK REVIEWS (cont.)
Goldberg, David, Arthur J. Greenbaum and Jane C. Ginsburg—Trademark and Unfair Competition Law—Cases and Materials 133
Greenbaum, Arthur J., Jane C. Ginsburg and David Goldberg—Trademark and Unfair Competition Law—Cases and Materials 133
Hansen, Hugh C.—New York Intellectual Property Handbook (with Federal Statutory Appendix and Forms) 663
Howell, Dorothy J.—Intellectual Properties and the Protection of Fictional Characters 662
Kane, Siegrun D.—Trademark Law—A Practitioner's Guide 294
Karnell, Gunnar W.G. and Eric M. Andersson—Introduction to International Licensing 132
Lane, Shelley—The Status of Licensing Common Law Marks 470
Lever, Jack Q.—U.S. Intellectual Property Legislative Review: An Annual Survey 135
Liberman, Adam—Australian Industrial & Intellectual Property 661
Lupo, Raphael V.and Donna M. Tanguay—What Corporate and General Practitioners Should Know About Intellectual Property Litigation 470
MacLaren, Terrence F.—1992 Licensing Law Handbook—Licensing in Europe 822
Montgomery, Susan Barbieri and Richard J. Taylor—Worldwide Trademark Transfers—Law and Practice 665
Nelson, Lestor—Digest of Intellectual Property Laws of the World 821
Plevan, Kenneth A. and Miriam L. Siroky—Advertising Compliance Handbook 290
Politano, Frank L. and Michael A. Epstein—Drafting License Agreements 293
Racklin, Dimitri P. and David E. Birenbaum—Business Ventures In Eastern Europe And The Soviet Union: The Emerging Legal Framework for Foreign Investment 290
Selz, Thomas D., Melvin Simensky and Patricia Nassif Acton—Entertainment Law 661
Shanahan, D.R.—Australian Law of Trade Marks and Passing Off 131
Sheldon & Mak—California Intellectual Property Handbook 291
Shook, Robert L. and Frank H. Foster—Patents, Copyrights & Trademarks 133
Simensky, Melvin, Patricia Nassif Acton and Thomas D. Selz—Entertainment Law 661
Siroky, Miriam L. and Kenneth A. Plevan—Advertising Compliance Handbook 290
Tanguay, Donna M. and Raphael V. Lupo—What Corporate and General Practitioners Should Know About Intellectual Property Litigation 470

Page

BOOK REVIEWS (cont.)
Taylor, Richard J. and Susan Barbieri Montgomery—Worldwide Trademark Transfers—Law and Practice 665

BOOKS
Brantley, Patricia N.—1991-92 Patent Law Handbook 297
Collin, Hans—International Patent Systems and Practice 826
Evarts, W. Richard, James L. Greenstone, Gary J. Kirkpatrick and Sharon C. Leviton—Winning through Accommodation—The Mediator's Handbook 827
Greenstone, James L., Gary J. Kirkpatrick, Sharon C. Leviton and W. Richard Evarts—Winning through Accommodation—The Mediator's Handbook 827
Harmonisation of Trade Mark Laws in the European Communities 825
Holmes, William C.—1992 Antitrust Law Handbook 473
Kirkpatrick, Gary J., Sharon C. Leviton, W. Richard Evarts and James L. Greenstone—Winning through Accommodation—The Mediator's Handbook 827
Leviton, Sharon C., W. Richard Evarts, James L. Greenstone and Gary J. Kirkpatrick—Winning through Accommodation—The Mediator's Handbook 827
Paterson, Gerald—The European Patent System—The Law and Practice of the European Patent Convention 826
Pinckney, Francis M.—Product Comparison Manual for Trademark Users—1987-90 Supplement 297
Porteous, Alan and Peter Rouse—The Trademark World Guide to Trademarks in Hungary, Poland and Czechoslovakia 826
Rossiter, Derek—Trade Marks in Business 827
Rouse, Peter and Alan Porteous—The Trademark World Guide to Trademarks in Hungary, Poland and Czechoslovakia 826
Wolfel, Helmut—Rechtsfolgen von Markenverletzungen und Massnahmen zur Bekämpfung der Produktpiraterie (Legal Consequences of Trademark Infringements and Measures to Combat Trademark Counterfeiting) 826

CANADA
Bereskin, Daniel R.—Notes From Canada 270
Fogo, James G.—Notes From Canada 112

CHARACTER MARKS
Action for Passing Off, Copyright Infringement and Violation of Federal Trade Practices Act—Character Merchandising—Reputation Without Use (Note) 802

Page

CHILE
Velasco, Rodrigo—Piracy and Protection: International Trademarks Under the New Chilean Industrial Property Law 593

CLASSIFICATION
Marshall, Jessie N.—Classification of Services Under the International (Nice) Agreement (Tip) 94

COUNTERFEITING
Bainton, J. Joseph—Reflections on The Trademark Counterfeiting Act of 1984: Score a Few for the Good Guys .. 1

DESCRIPTIVE MARKS
McLeod, Linda—The Status of So Highly Descriptive and Acquired Distinctiveness 607

DILUTION
Bannon, Elizabeth C.—The Growing Risk of Self-Dilution 570

DISCOVERY
Wendel, Helen R.—The Burden Shifts: Revised Discovery Practice Under Trademark Rule 2.120(d)(1) (Tip) 89

DISTRICT COURTS
Barber, William G.—Recovery of Profits Under the Lanham Act: Are the District Courts Doing Their Job? 141

EUROPEAN COMMUNITY
Fawlk, Michael—Trademark Delimitation Agreements Under Article 85 of the Treaty of Rome 223
Larkin, Thomas Ardell—Harmony in Disarray: The European Community Trademark System 634

FIRST AMENDMENT
Langvardt, Arlen W.—Protected Marks and Protected Speech: Establishing the First Amendment Boundaries in Trademark Parody Cases 671

GEOGRAPHICAL MARKS
Bendekgey, Lee and Caroline H. Mead—International Protection of Appellations of Origin and Other Geographic Indications 765
Mead, Caroline H. and Lee Bendekgey—International Protection of Appellations of Origin and Other Geographic Indications 765

GERMANY
Jonas, Kay-Uwe—Aspects of German Trademark Law After Reunification 242

Page

HISTORY
Drescher, Thomas D.—The Transformation and Evolution of Trademarks—From Signals to Symbols to Myth 301

INFRINGEMENT
Kirkpatrick, Richard L.—Learned Hand's Trademark Cases: An Appreciation 426

INCONTESTABILITY
Razzano, Pasquale A.—Incontestability: Should It Be Given Any Effect in a Likelihood of Confusion Determination 409

INTENT TO USE
Walsh, James T.—The PTO's Experience Thus Far in Examining Intent-to-Use Applications (Tip) 452

INTERNATIONAL LAW
Bigger, Stephen—International Notes 802
World Trademark Symposium 829

LICENSING
Bannon, Elizabeth C.—The Growing Risk of Self-Dilution 570
Parks, Kevin—"Naked" Is Not a Four-Letter Word: Debunking the Myth of the "Quality Control Requirement" in Trademark Licensing 531

LIKELIHOOD OF CONFUSION
Hairston, Paula T.—Pleading and Proving a Claim of False Suggestion of a Connection With Persons and Institutions (Tip) 253
Kirkpatrick, Richard L.—Learned Hand's Trademark Cases: An Appreciation 426
Razzano, Pasquale A.—Incontestability: Should It Be Given Any Effect in a Likelihood of Confusion Determination 409

LITIGATION
Kirkpatrick, Richard L.—Learned Hand's Trademark Cases: An Appreciation 426

MADRID AGREEMENT
Kunze, Gerd F.—The Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks of June 27, 1989 58
Zelnick, Allan—The Madrid Protocol—Some Reflections (Forum) 651

Page

ORIGIN
Bendekgey, Lee and Caroline H. Mead—International Protection of Appellations of Origin and Other Geographic Indications 765
Drescher, Thomas D.—The Transformation and Evolution of Trademarks—From Signals to Symbols to Myth 301
Mead, Caroline H. and Lee Bendekgey—International Protection of Appellations of Origin and Other Geographic Indications 765

SECONDARY MEANING
Excerpts From The United States Trademark Association's Amicus Brief in Two Pesos, Inc. v. Taco Cabana International, Inc., and Taco Cabana, Inc. 440

SECTION 44
Wolf, David B.—"Effective Protection Against Unfair Competition" Under Section 44 of the Lanham Act 33

SERVICE MARKS
Goodsaid, Ira J.—At Your Service: Hints on What Constitutes a Service and What Is Acceptable Use as a Service Mark (Tip) 261

SHADE AND SCENT MARKS
Elias, Bettina—Do Scents Signify Source?—An Argument Against Trademark Protection for Fragrances 475

TRADE DRESS
Excerpts From The United States Trademark Association's Amicus Brief in Two Pesos, Inc. v. Taco Cabana International, Inc., and Taco Cabana, Inc. 440

TRADEMARK ACT OF 1946
Fletcher, Anthony L. and David J. Kera—The Forty-Fifth Year of Administration of the Lanham Trademark Act of 1946 1041
Kera, David J. and Anthony L. Fletcher—The Forty-Fifth Year of Administration of the Lanham Trademark Act of 1946 1041
Nies, Helen Wilson—The Lanham Act—Looking at an Old Friend From a New Perspective 793

TRADEMARK DISCLAIMER
Palladino, Vincent N.—Disclaimers Before and After HBO v. Showtime 203

Page

TRADEMARK EXAMINING OPERATION
Goodsaid, Ira J.—At Your Service: Hints on What Constitutes a Service and What Is Acceptable Use as a Service Mark (Tip) 261
Marshall, Jessie N.—Classification of Services Under the International (Nice) Agreement (Tip) 94
Walsh, James T.—The PTO's Experience Thus Far in Examining Intent-to-Use Applications (Tip) 452

TRADEMARK PARODY
Langvardt, Arlen W.—Protected Marks and Protected Speech: Establishing the First Amendment Boundaries in Trademark Parody Cases 671

TRADEMARK PROTECTION
Langvardt, Arlen W.—Protected Marks and Protected Speech: Establishing the First Amendment Boundaries in Trademark Parody Cases 671

THE TRADEMARK REPORTER®
Letter to the Editor 810
The Trademark Forum 651
The Trademark Reporter®/USTA Bulletins 140, 299, 474, 669, 828

TRADEMARK RIGHTS
Wolf, David B.—"Effective Protection Against Unfair Competition" Under Section 44 of the Lanham Act ... 33

TRADEMARK RULES
Wendel, Helen R.—The Burden Shifts: Revised Discovery Practice Under Trademark Rule 2.120(d)(1) (Tip) 89

TRADEMARK TRIAL AND APPEAL BOARD
Hairston, Paula T.—Pleading and Proving a Claim of False Suggestion of a Connection With Persons and Institutions (Tip) 253
Wendel, Helen R.—The Burden Shifts: Revised Discovery Practice Under Trademark Rule 2.120(d)(1) (Tip) 89

TRADEMARKS
Drescher, Thomas D.—The Transformation and Evolution of Trademarks—From Signals to Symbols to Myth 301
List of Other Articles, Legal Notes and Books 136, 296, 472, 668, 825
Reviews of Articles From Other Publications 120, 279, 467, 656, 813

Page

TURKS AND CAICOS ISLANDS
Cancellation Proceeding Involving Well-Known Foreign Trademark—Reputation Without Use (Note) 806

UNFAIR COMPETITION
Wolf, David B.—"Effective Protection Against Unfair Competition" Under Section 44 of the Lanham Act 33

UNITED STATES TRADEMARK ASSOCIATION
Excerpts From The United States Trademark Association's Amicus Brief in Two Pesos, Inc. v. Taco Cabana International, Inc., and Taco Cabana, Inc. 440
World Trademark Symposium 829